

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

<b>DR. SHIVA AYYADURAI</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>CIV. ACTION NO. 1:20-cv-</b>
	)	
<b>ROBERT F. KENNEDY, JR.,</b>	)	
	)	
<b>Defendant.</b>	)	
	)	

**PLAINTIFF DR. SHIVA AYYADURAI'S  
REQUEST FOR NOTICE OF DEFAULT PURSUANT  
TO RULE 55(a) AGAINST DEFENDANT ROBERT F.  
KENNEDY, JR.**

To: Robert M. Farrell, Clerk of Court  
United States District Court for the District of Massachusetts

Because Defendant Robert F. Kennedy, Jr. has failed to timely plead or otherwise defend the above-captioned action, pursuant to Rule 55(a) of the Federal Rules of Civil Procedure and the Local Rules of the U.S. District Court for the District of Massachusetts, Plaintiff Ayyadurai now requests entry of a default against the Defendant.

In support of this Motion, the Plaintiff submits the Affidavit of Counsel Timothy Cornell, together with Exhibit A, which are restated and incorporated by reference in support this Rule 55(a) Request for Entry of Default, and states as follows:

On September 15, 2020, Ayyadurai counsel Cornell successfully served Kennedy at his New York law firm of Morgan & Morgan via Fedex overnight service, in accordance with FCRP 4(c)(2). (*See* Cornell Aff., Ex. 1, Kennedy proof of delivery)

From that date, Kennedy had 21 days, or to October 6, 2020, to respond to the Complaint, per Fed.R.Civ. P. 12(a)(1)(A)(i), 6(a)(1).

Yet even as of the date of this filing, the Defendant, Kennedy has failed to file his Answer, file responsive papers, or otherwise defend the instant litigation in a timely manner, and the time has expired for him to do so.

On information and belief, Defendant Kennedy is not now, nor has he ever been, an incompetent person, an infant, nor a person in the military service, as defined in the "Service Members Civil Relief Act," 50 U.S.C. §§ 501, *et seq.*

Thus, pursuant to Rule 55(a) of the Federal Rules of Civil Procedure, Plaintiff Ayyadurai requests the entry of a default against Defendant Kennedy.

Respectfully submitted,

Plaintiff Ayyadurai,  
By his Attorney,

/s/ Timothy Cornell

Timothy Cornell (BBO No. 654412)

Cornell Dolan, P.C.

Ten Post Office Square, Suite 800 South

Boston, MA 02109

(617) 580-9036

Email: tcornell@cornelldolan.com

Dated: October 28, 2020

**CERTIFICATE OF SERVICE**

I, Timothy Cornell, do hereby certify that on the 28<sup>th</sup> day of October 2020, I caused to be served a true and correct copy of Plaintiff Ayyadurai Fund, LLC's Request for Entry of Default Pursuant to Rule 55(a) Against Defendant Kennedy, as filed by and through the District Court's electronic filing/ECF system and that such true copy is available for downloading and viewing by all counsel of record.

/s/ Timothy Cornell

Timothy Cornell